IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.76616-M of 2006

DATE OF DECISION: DECEMBER 7, 2006

Ajay Kumar Sharma

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sukhdeep Parmar, Advocate,
for the petitioner.

...

Petitioner Ajay Kumar Sharma apprehending his arrest in a non-bailable offence in case FIR No. 236 dated 29.9.2006 registered under Sections 420/506 IPC at Police Station Model Town, Rewari, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the petitioner and gone through the contents of the FIR.

In this case, the petitioner had agreed to sell 3 Marlas of land to the complainant, who was illiterate, at the rate of Rs.625/- per square yard and received an amount of Rs.40,000/- as earnest money. The petitioner was not the owner of the said land. He was having only an agreement with the owner, which also pertained to the year 2003. When the complainant went on the spot to take the possession as per the agreement, the owner objected that the petitioner is not the owner of the said land. In these facts, I am not inclined to grant anticipatory bail to the petitioner.

Dismissed.

December 7, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE